

HOUSE BILL 2330

By Powell

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to corporal punishment of students with
disabilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-4103, is amended by
designating the existing language as subsection (a) and adding the following language as a new
subsection (b):

(1) Notwithstanding subsection (a), teachers, school principals, or other school
personnel are prohibited from using corporal punishment against any student who has a
disability.

(2) As used in this subsection (b):

(A) "Student who has a disability" means a student who has an
individualized education program (IEP) under the Individuals with Disabilities
Education Act (20 U.S.C. § 1400, et seq.), or a Section 504 plan under the
Rehabilitation Act (29 U.S.C. § 701, et seq.); and

(B) "School personnel" includes all individuals employed on a full-time or
part-time basis by a public school.

(3) This subsection (b) does not authorize the use of corporal punishment by a
person who is not permitted to administer corporal punishment under subsection (a).

SECTION 2. Tennessee Code Annotated, Section 49-6-4402, is amended by adding
the following language as a new subsection (c):

(1) Notwithstanding subsection (a), the chief administrative officer, or the chief administrative officer's designee, is prohibited from using corporal punishment against any student who has a disability.

(2) As used in this subsection (c), "student who has a disability" means a student who has an individualized education program (IEP) under the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.), or a Section 504 plan under the Rehabilitation Act (29 U.S.C. § 701, et seq.).

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.